

Attorney Docket No. 01387RE/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Patent Owner: KYOTO PHARMACEUTICAL
INDUSTRIES, LTD.

Patentee : Shoji KAMIYA et al.

Patent No. : 6,063,806

Issue Date : May 16, 2000

Title : INDOLYL OR INDOLINYL
DERIVATIVES AND MEDICAL
USE THEREOF AS ACAT OR
LIPID PEROXIDATION
INHIBITORS

**INFORMATION DISCLOSURE STATEMENT FILED
CONCOMITANT WITH REISSUE APPLICATION**

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

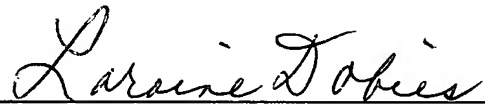
S I R :

Submitted herewith are:

- (1) Copy of a Communication and Search Report
issued from the Hungarian Patent Office in the
counterpart European application;
- (2) Forms PTO/SB/08A and PTO/SB/08B. It is requested that
an initialed copies of the forms PTO/SB/08A and
PTO/SB/08B be returned to indicate that the
publications listed therein have been considered and
made of record; and
- (3) Copies of the publications listed on said PTO/SB/08A
and PTO/SB/08B forms, except for the documents cited
during the original prosecution.

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Laraine Dobies

In the event that this Paper is late filed,
and the necessary petition for extension of
time is not filed concurrently herewith,
please consider this as a Petition for the
requisite extension of time, and to the
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hereto, authorization to charge the
extension fee, or any other fee
required in connection with this Paper
to Account No. 06-1378.

I. Each of the cited Hungarian publication has a U.S. Patent Family Member as follows:

U.S. 5,254,565 is the Patent Family Member of HU 210861

U.S. 5,952,354 is the Patent Family Member of HU 216790

U.S. 5,356,920 is the Patent Family Member of HU 922462

A copy of the Hungarian Search Report is enclosed. All of the cited publications were cited only under Category A (document defining the state of the art). A translation of the search results is as follows:

X: document containing all the essential characteristics of the solution searched.

Y: document involving - if combined with one or two document(s) - all the essential characteristics of the solution searched.

A: document defining the state of the art.

O: document relating to a disclosure by means of public realization, use, oral information, exhibition or any other way.

P: document published prior to the date of filing in Hungary but on or later than the priority date claimed.

E: specification of an earlier Hungarian patent or utility model application published after the priority date of the searched application.

D: document quoted by the applicant in the description of the solution searched as state of the art.

&: document member of the same patent family (analogue).

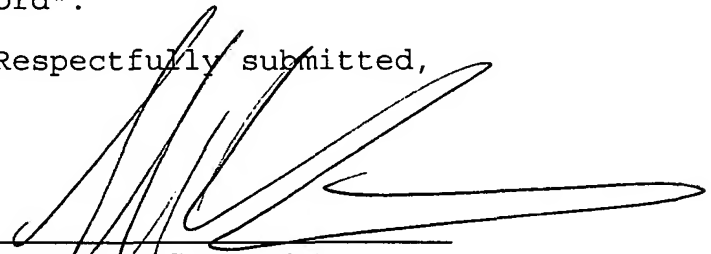
II. Matsui USP 5,990,150 and Matsui 6,127,403 lists the same inventors as the present application.

III. MPEP 1455 states *inter alia*, that the list of references printed on a reissue application should include the references cited during the original application. For the Examiner's convenience these have been included on the enclosed forms PTO/SB/08A and PTO/SB/08B.

It is respectfully requested that the attached publications be considered and made "of record".

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Respectfully submitted,



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Reg. No. 26,853

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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Patent Number	6,063,806
				Issued Date	May 16, 2000
				First Named Inventor	Shoji KAMIYA
				Group Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	01387RE/HG

U.S. PATENT DOCUMENTS

Exam. Iqits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		5,254,565	A	Meguro et al.	10-19-1993	
		5,356,920	A	Cozzi et al.	10-18-1994	
		5,952,354	A	Commons et al.	09-14-1999	
		5,990,150		Matsui et al.	11-23-1999	
		6,127,403		Matsui et al.	10-03-2000	

FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		HU	210861	A				
		HU	216790	A				
		HU	9202462	A				
		EP	0 622 356 A1			11-1994		
		EP	622 356			11-1994		
		EP	0 708 091 A1			04-1996		
		EP	0 793 140 A1			09-1997		
		JP	2-117651			05-1990		
		JP	3-7259			1-1991		
		JP	3-148247			6-1991		

Examiner Signature		Date Considered	
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* EXAMINER: Initial if document considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

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				Group Art Unit	
				Examiner Name	
Sheet	2	of	3	Attorney Docket Number	01387RE/HG

U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		4,803,218		Stanley et al	02-1989	
		5,153,226		Chucholowski et al	10-1992	
		5,219,859		Festal et al.	06-1993	

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Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		JP	4-66568			03-1992		
		JP	4-234839			08-1992		
		JP	4-327564			11-1992		
		JP	5-32666			02-1993		
		JP	5-97802			04-1993		
		JP	5-140102			06-1993		
		JP	8-92210			04-1996		
		JP	8-208602			08-1996		
		WIPO	96/09287			03-1996		
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				First Named Inventor		Shoji KAMIYA et al.	
				Group Art Unit			
				Examiner Name			
Sheet	3	of	3	Attorney Docket Number		01387RE/HG	
OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS							
Examiner Initials ¹	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published					T ²
		<p>"Potential Antiatherosclerotic Agents. 5.¹ An acyl-CoA:Cholesterol O-Acyltransferase Inhibitor with Hypocholesterolemic Activity", J. Med. Chem. vol. 29, pp. 1131-1133. 1986.</p> <p>K. Yee et al., "Novel Series of Selective Leukotriene Antagonists: Exploration and Timization of the Acidic Region in 1,6-Disubstituted Indoles and Indazoles", Journal of Medicinal Chemistry, vol. 33, No. 9, pp. 2437-2451, 1990.</p> <p>V. Matassa et al., "Evolution of a Series of Peptidoleukotriene Antagonists: Synthesis and Structure/Activity Relationships of 1,3, 5-substituted Indoles and Indazoles", Journal of Medicinal Chemistry, vol. 33, No. 6, pp. 1781-1790, 1990.</p> <p>F. Brown et al., "Evolution of a Series of Peptidoleukotriene Antagonists: Synthesis and Structure-Activity Relationships of 1,6-Disubstituted Indoles and Indazoles", Journal of Medicinal Chemistry, vol. 33, No. 6, pp. 1771-1781, 1990.</p>					
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